IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
APPEAL FROM ORDER NO. 407 OF 2006
IN
NOTICE OF MOTION NO.1737 OF 2006
IN
S.C. SUIT NO.515 OF 2006
WITH
CIVIL APPLICATION NO.502 OF 2006

Deepak Chhabria & Anr. ...Appellants
Versus
M/s. Supreme Indosaigon Associates
& Anr. ...Respondents

.....

Mr.Niranjan Lapashiya I/b M/s.Niranjan & Co.
for Appellants.

Mr.V.N.Bodke I/b M/s.Chitnis Vaithy & Co.
for Respondent No.1.

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**CORAM : A.M.KHANWILKAR, J.**

**JUNE 27, 2006.**

**P.C. :**

1. Heard Counsel for the parties.

2. This Appeal is disposed of as per the understanding arrived at between the parties insofar as the requirement of deposit of

balance amount by the Appellants. It is agreed between the parties that as and when the Respondents would raise any further demand hereafter, the Appellants would deposit such amount in Court within two weeks from the receipt of such demand. Indeed, the deposit to be so made by the Appellants will be without prejudice to the rights and contentions of the parties. As this arrangement is accepted by both the sides, no further directions are required in the present matter. The order passed by the Trial Court which is impugned in this Appeal will stand modified to the above extent.

3. It is however, made clear that even in case of one default by the Appellants, the order passed by the Trial Court will be revived, if such grievance is brought before this Court by the Respondents and is substantiated.

4. The grievance of the Appellants regarding steps to be taken by the Respondents in accordance with law will be looked into by the Trial Court, if such application is moved. Those questions are left open.

5. Appeal and the cognate Civil Application disposed of on the above terms.

**A.M.KHANWILKAR, J.**